

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

JESSICA BLINKHORN,

Plaintiff,

v.

JOHNNY MERCER PROPERTIES, LLC,

Defendant,

v.

WILMINGTON MEXICN FOODS, LLC d/b/a
RIO BRAVO MEXICAN RESTAURANT; and
LUIS GOMEZ,

Third-Party Defendants.

CIVIL ACTION NO.: 4:22-cv-173

ORDER

In November 2022, upon being advised by the parties that Plaintiff and Defendant had potentially reached a settlement of the case, but that Defendant's third-party action would not necessarily be resolved via settlement, the Court stayed the case for sixty days. (Doc. 15.) Recently filed and presently pending before the Court is a "Joint Stipulation of Dismissal With Prejudice," signed and filed by counsel for Plaintiff and counsel for Defendant, in which Plaintiff and Defendant advise that they stipulate to the dismissal of Plaintiff's Complaint with prejudice. (Doc. 16.) Accordingly, the Court **DIRECTS** the Clerk of Court to **LIFT** the stay of the case. Additionally, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff's Complaint has been **DISMISSED WITH PREJUDICE**.

Defendant's Third-Party Complaint—which contains claims for indemnity and breach of contract, (see doc. 8)—apparently remains pending against Third-Party Defendants Wilmington Mexican Foods, LLC, and Luis Gomez. According to the Third-Party Complaint, all parties to the

third-party action are Georgia residents. (Id. at p. 2.) Accordingly, the Court **ORDERS** the Third-Party Plaintiff to **SHOW CAUSE** within **THIRTY (30) DAYS** why the Third-Party Complaint should not be dismissed for lack of subject matter jurisdiction.

SO ORDERED, this 5th day of January, 2023.

A handwritten signature in blue ink, appearing to read "R. Stan Baker". The signature is fluid and cursive, with the first name "R" being particularly large and stylized.

R. STAN BAKER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA